

11/2/06
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ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2935-2941 EAST 13TH STREET IN THE ROSEWOOD NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district on the property described in Zoning Case No C14-06-0165, on file at the Neighborhood Planning and Zoning Department, as follows

A 0.6849 acre tract of land, more or less, out of Outlot 29, Division B, Original City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 2935-2941 East 13th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district and other applicable requirements of the City Code

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

The following uses are prohibited uses of the Property:

Multifamily residential	Administrative and business offices
Art gallery	Art workshop
Business or trade school	Business support services
Communication services	Food preparation
Medical offices (not exceeding 5000 sq. ft gross floor area)	Medical offices (exceeding 5000 sq. ft gross floor area)

1 Personal services
2 Professional office
3 Services station

Printing and publishing
Restaurant (limited)

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5 **PART 4.** The Property is subject to Ordinance No. 020110-17 that established the
6 Rosewood neighborhood plan combining district

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8 **PART 5.** This ordinance takes effect on _____, 2006
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11 **PASSED AND APPROVED**

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15 _____, 2006

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Will Wynn
Mayor

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20 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk

Exhibit "A"

METES AND BOUNDS DESCRIPTION

Being all that certain 0.6849 acre tract or parcel of land being part of and out of OUTLOT 29, DIVISION "B", ORIGINAL CITY OF AUSTIN, Travis County, Texas, according to the map or plat thereof of record in the General Land Office of the State of Texas; said 0.6849 acres being comprised of four (4) tracts as conveyed to Mt. Zion Baptist Church: 0.1320 acres recorded in Volume 9642, Page 261; 0.1329 acres recorded in Volume 13144, Page 1241, 0.1645 acres recorded in Volume 4996, Page 2125, and 0.2555 acres recorded in Volume 5120, Page 1589, all in Travis County Real Property Records (TCRPR), said 0.6849 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron pipe found marking the Northeast corner hereof, same being the Northeast corner of said 0.2555 acre tract, same being located in the South right-of-way of East 13th Street (50 feet in width), and being further located South $80^{\circ}47'50''$ West-119.60 feet from an iron pipe found marking the intersection of the said South right-of-way line of East 13th Street and the West right-of-way line of Harvey Street (50 feet in width),

THENCE, South $09^{\circ}18'40''$ East, a distance of 185.37 feet to an iron rod found marking the Southeast corner hereof,

THENCE, South $80^{\circ}39'30''$ West, a distance of 60.01 feet to an iron rod set for the Southwest corner of said 0.2555 acre tract,

THENCE, North $09^{\circ}20'35''$ West, a distance of 66.53 feet to an iron rod found for internal "L" corner hereof;

THENCE, South $80^{\circ}14'05''$ West, a distance of 60.20 feet to an iron rod set marking the common South corner of said 0.1645 acre and said 0.1319 acre tracts,

THENCE, South $80^{\circ}14'05''$ West, a distance of 48.00 feet to an iron rod set marking the common South corner of said 0.1329 acre and said 0.1320 acre tracts,

THENCE, South $80^{\circ}36'25''$ West, a distance of 48.19 feet to an iron pipe found marking the Southwest corner hereof and the Southwest corner of said 0.1320 acre tract;

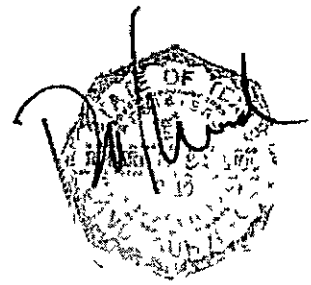
THENCE, North $09^{\circ}44'05''$ West, a distance of 119.64 feet to an iron rod set marking the Northwest corner hereof, same being located in the said South right-of-way line of East 13th Street,

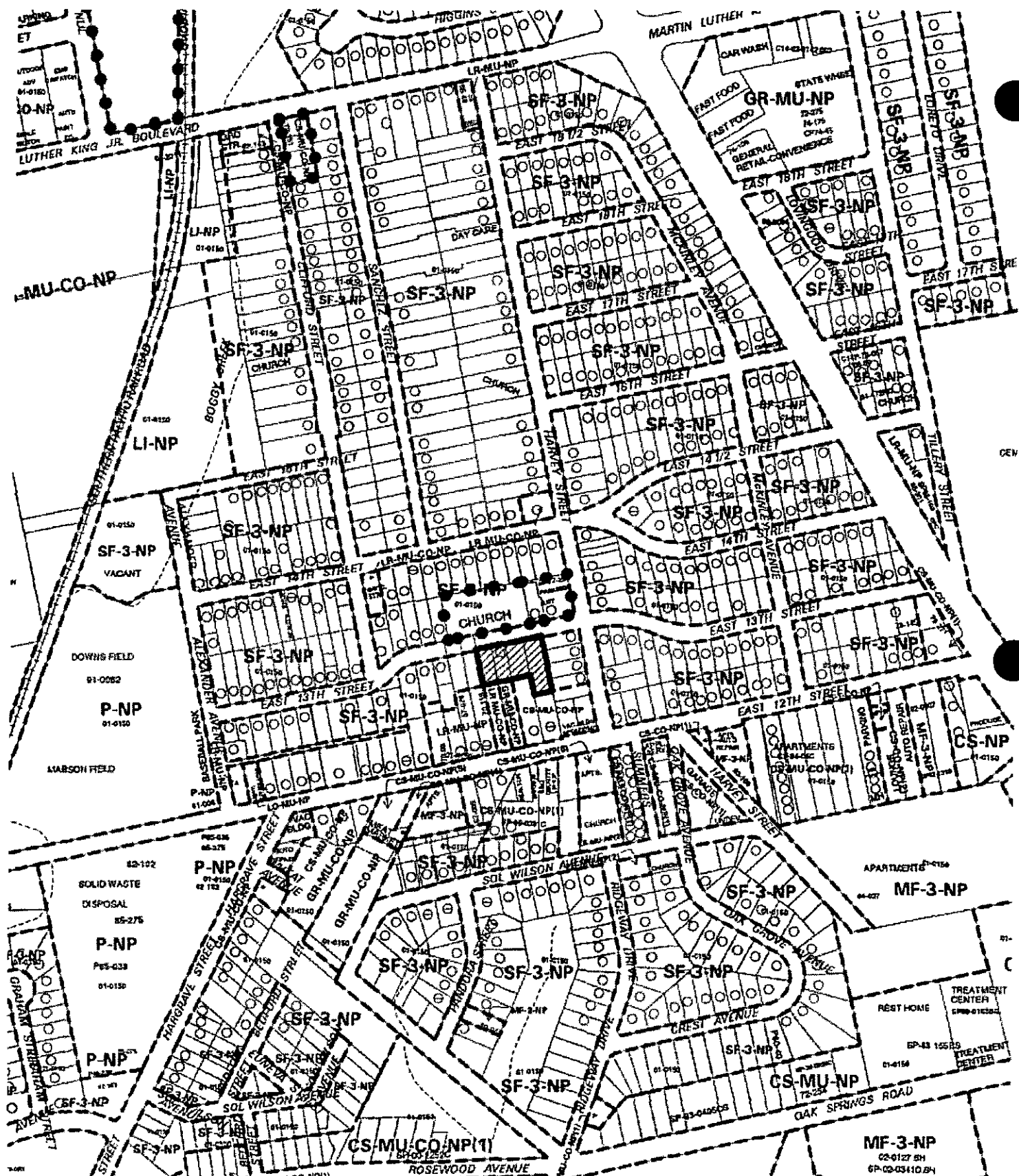
THENCE, with the said South right-of-way line of East 13th Street the following four (4) courses and distances:

- (1) North $80^{\circ}47'30''$ East-48.00 feet to an iron rod set,
- (2) North $80^{\circ}34'40''$ East-48.00 feet to an iron rod set;
- (3) North $80^{\circ}34'40''$ East-60.20 feet to an iron rod found; and
- (4) North $80^{\circ}39'25''$ East-60.09 feet to the POINT OF BEGINNING and containing 0.6849 acres of land

BASIS OF BEARINGS Vol 13144, Pg 1241, TCRPR

Compiled By:
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4412 Spicewood Springs Road, #1002
Austin, Texas 78759
December 22, 2003
GEO Job No. 0310878





	SUBJECT TRACT	<p>ZONING <i>Exhibit B</i></p> <p>CASE # C14-06-0165</p> <p>ADDRESS 2935-2941 E 13TH ST</p> <p>SUBJECT AREA (acres) 0.689</p>	<p>DATE 06 10</p> <p>INTLS SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>L23</p>
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR R HEIL			